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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/838,807	04/20/2001	Michael T. Brown	10011540-1	3525

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EXAMINER

KLIMACH, PAULA W

ART UNIT

PAPER NUMBER

2135

DATE MAILED: 01/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/838,807	BROWN, MICHAEL T.
	Examiner	Art Unit
	Paula W. Klimach	2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 09 November 2005.  
 2a) This action is FINAL. 2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1,4-7,9-11,13,16,18 and 20-34 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1,4-7,9-11,13,16,18 and 20-34 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date. \_\_\_\_\_.  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152)  
 Paper No(s)/Mail Date \_\_\_\_\_. 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### *Response to Amendment*

This office action is in response to amendment filed on 11/09/05. The amendment filed on 11/09/05 have been entered and made of record. Therefore, presently pending claims are 1, 4-7, 9-11, 13, 16, 18, and 20-34.

### *Response to Arguments*

Applicant's arguments filed 11/09/2005 have been fully considered but they are not persuasive because of following reasons.

The applicant argues that the claim 1 does not contain the limitation "a system wherein the browser receives an access code to determine the level of access." However, the examiner did not mean to imply that the claim recites a browser that receives an access code to determine the level of access. The examiner was pointing out that the browser of Rowland does not receive an access code. The claim language requires receiving from, a user an identification of the level of access. This is not disclosed by Rowland, however in the combination of Rowland and Jones, Jones discloses receiving from a user an identification of the level of access.

The applicant also argues that Rowland does not teach providing the user code to the web site host when the user visits a web site maintained by the web site host. This is not found persuasive. Rowland discloses providing the user code to the web site host (Fig. 6). The user codes are used to determine the level of access that is available to the website. The word "provided" does not include the transmission of the information in the definition. Assuming that

when the applicant argues "...web sites in the Rowland system only request information upon the user attempting to access the site and, in return, the requested information, not a user code, is provided to the website by an applet executing on the user computer..." that the applicant assumes that the user code must be sent to the web site host. Claim 1 does not recite the transmission of the user code in the limitation of providing the user code to the web site. The system of Rowland discloses the user providing a code (the code is provided by making the code available in the database), therefore a user code, to the websites (column 5 line 55 to column 6 line 5).

The applicant further argues that receiving from the web site host a request for information concerning the user and the user code that was provided to the web site host. This is not found persuasive. In response to applicant's argument, it is noted that the feature (receiving a user code from the web site host) are not recited in the rejected claims 1, and 16. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The claim discloses "receiving from the web site host a request for information concerning the user and the user code that was provided to the web site host." Therefore the claim recites receiving information concerning the user code and not receiving the user code. Rowland discloses providing information concerning the user code (part 712 Fig. 7 and the description in the disclosure).

The applicant further argues that Rowland does not teach determining a level of access for which the web site host is authorized from the user code received from the web site host. This is not found persuasive. The system of Rowland discloses determining the level of access

for which the web site host is authorized from the user coder (Fig. 6). However the system of Rowland does not discloses receiving the user code. In the combination of Rowland and Jones, Jones discloses the step of receiving the user code.

The applicant argues further that Rowland does not teach transmitting the user information to the web site host that pertains to the user code. This is not found persuasive. Rowland teaches transmitting the user information to the web site host that pertains to the user code (Fig. 7 part 712 and description in the disclosure).

The reasons for rejection of claims 16 is as disclosed above since claim 16 portrays the means for the method of claim 1.

In reference to claims 27 and 31, the examiner has added the definition or e-service to the rejection of claim 27 and 31. An e-service is any asset that is made available via the Internet to drive new revenue streams or create new efficiencies. In the system of Rowland the website receives user information and therefore an e-service since the user information is an asset that is made available via the Internet to create new efficiencies.

The examiner asserts that the combination of Rowland and Jones does teach or suggest the subject matter broadly recited in independent Claims 1, 16, 27, and 31. Dependent Claims 4-7, 9-11, 13, 18, 20-26, 28-30, and 32-34 are also rejected at least by virtue of their dependency on independent claims and by other reason set forth in this office action. Accordingly, rejections for claims 1, 4-7, 9-11, 13, 16, 18, and 20-34 are respectfully maintained.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1, 5, 7, 16, 18, 22-28, and 31-32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rowland et al (EP 0 844 767 A1) in view of Jones et al (5,623,637).

*In reference to claims 1 and 16*, Rowland discloses a method for sharing user information, comprising (abstract): receiving from a user an identification of a level of access that is to be extended to a web site host (column 5 lines 14-23); assigning a user code to the web site host when the user visits a web site maintained by the web site host (Fig. 6) and providing the user code to the web site host when the user visits a web site maintained by the web site host (Fig. 7 part 711); receiving from the web site host a request for information concerning the user and the name of the server (column 6 lines 24-32); determining a level of access for which the web site host is authorized from the user code received from the web site host (column 6 lines 50-54); and transmitting user information to the web site host that pertains to the user code (part 712 Fig. 7).

Although Rowland discloses a process to determine the level of access available to the web site, Rowland does not disclose a system wherein the browser receives an access code to determine the level of access.

Jones discloses a system, that wants to gain access to data, sends an access code that is used to determine the level of access available (column 9 lines 1-21).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to replace the name of the website, provided in the website information request, with the access code as in the system of Jones for determining the level of access in Rowland. One of ordinary skill in the art would have been motivated to do this because it would reduce the number of steps required for determining access and therefore increase the response speed.

*In reference to claims 27 and 31*, Rowland discloses a method for sharing user information, comprising (abstract): receiving at an e-service various user information separated into sets each associated with a given level of access to user information (Fig. 5); assigning with the e-service a user code to the web site host when the user visits a web site maintained by the web site host (Fig. 6) and providing the user code to the web site host when the user visits a web site maintained by the web site host (Fig. 7 part 711); receiving from the web site host a request for information concerning the user and the name of the server (column 6 lines 24-32); determining a level of access for which the web site host is authorized from the user code received from the web site host (column 6 lines 50-54); and transmitting user information to the web site host that pertains to the user code (part 712 Fig. 7). An e-service is any asset that is made available via the Internet to drive new revenue streams or create new efficiencies. In the system of Rowland the website receives user information and therefore an e-service since the user information is an asset that is made available via the Internet to create new efficiencies.

Although Rowland discloses a process to determine the level of access available to the web site, Rowland does not disclose a system wherein the browser receives an access code to determine the level of access.

Jones discloses a system, that wants to gain access to data, sends an access code that is used to determine the level of access available (column 9 lines 1-21).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to replace the name of the website, provided in the website information request, with the access code as in the system of Jones for determining the level of access in Rowland. One of ordinary skill in the art would have been motivated to do this because it would reduce the number of steps required for determining access and therefore increase the response speed.

*In reference to claims 5 and 18*, wherein the step of determining the level of access comprises comparing the user code provided by the web site host with a user code assigned to the user and relevant to a particular user information set (column 5 lines 55-58).

*In reference to claim 7* wherein the step of transmitting user information comprises transmitting user profile information while withholding personal information about the user (Fig. 6).

*In reference to claim 22*, wherein receiving an identification of a level of access comprises receiving selection of one of an anonymous mode in which only profile information and no personal information is provided, and a full disclosure mode in which profile information and personal information is provided (column 5 line 66 to column 6 line 7).

*In reference to claim 23* wherein receiving an identification of a level of access further comprises receiving user selection of a category of information to share (Fig. 5).

*In reference to claim 24*, wherein receiving user selection of a category comprises receiving user selection of at least one of a personal category a business category, and a financial category.

*In reference to claim 25, wherein assigning a user code comprises assigning a first code pertinent to an initial level of access to be provided to the web site host and a second code pertinent to a deeper level of access that can be manually provided by the user if desired.*

Although Rowland discloses assigning codes to websites that are possibly assigned manually, Rowland does not disclose assigning the second code pertinent to a deeper level of.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to add more levels of code pertinent to deeper levels of access in the system Rowland. One of ordinary skill in the art would have been motivated to do this because it would allow greater control on the amount of access.

*In reference to claims 26, 28, and 32, wherein providing the user code comprises automatically providing the first user code to the web site host when the user visits the web site, and providing the second user code to the web site host if the user chooses to so provide the second user code.*

Although Rowland discloses assigning codes to websites that are possibly assigned manually or automatically, Rowland does not disclose assigning the second code pertinent to a deeper level of.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to add more levels of code pertinent to deeper levels of access in the system Rowland. One of ordinary skill in the art would have been motivated to do this because it would allow greater control on the amount of access.

**Claim 4** is rejected under 35 U.S.C. 103(a) as being unpatentable over Rowland as applied to claim 2 above, and further in view of Schneier.

In reference to the user code comprises a transient key. A transient key is a key that expires after a period of time.

Rowland does not expressly disclose the code that was designated by the user comprising a transient key.

Schneier teaches that a key should expire automatically; therefore a system should have a policy that determines the permitted lifetime of a key (pages 183-184).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a code that expires after a certain period of time as disclosed in Schneier in the system of Rowland. One of ordinary skill in the art would have been motivated to do this because the longer the code is used the greater the chance that the system will be compromised.

**Claim 6** is rejected under 35 U.S.C. 103(a) as being unpatentable over Rowland as applied to claim 1 above, and further in view of Henrick et al (6,055,510).

Regarding transmitting user information from a centralized repository which stores user information for a plurality of users.

Rowland does not expressly disclose transmitting the user information from a centralized repository that stores user information fro a plurality of users.

Henrick discloses a system and method of storing user information in a centralized repository (column 4 lines 32-37) and transmitting the user information from this centralized repository to a website (particular advertiser; column 4 line 66 to column 5 line 10)

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a central repository to store the user information and transmit the user information to the host website. One of ordinary skill in the art would have been motivated to do this because the ISP can take advantage of the unique customer knowledge with respect to user likes and dislikes, while preserving the privacy of the customer, to attract businesses with interest in customer bases.

**Claims 9-11, 13, 20-21, 29-30, and 33-34** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rowland in view of Davis et al (6,367,009 B1)

*In reference to claims 13, 30, and 34,* Rowland discloses a method for acquiring user information that is used to personalize a web site for the user (column 1 lines 1-30 in combination with abstract).

Although Rowland discloses the website host requesting user information (column 6 lines 12-15), Rowland does not disclose the user information being stored at centralized repository and providing the user code to the centralized repository.

Davis discloses the ETS that is a relational database manager (centralized repository storing) that stores user information needed by the intermediate MTS (website server; column 9 lines 24-48). The client delegates authentication to the MTS to retrieve the user information. The MTS uses the certificate chain, which includes information from the client certificate that was provided by the client (column 13 lines 1-58), this performs the function of providing authentication and code required by the ETS (column 14 lines 14-40) to authenticate the MTS

and provide the user information (column 9 lines 25-48 in combination with column 13 lines 53-58). This is the function of the user code sent to the website host.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a central repository to store the user information and transmit the user information to the host website. One of ordinary skill in the art would have been motivated to do this because the ISP can take advantage of the unique customer knowledge with respect to user likes and dislikes, while preserving the privacy of the customer, to attract businesses with interest in customer bases.

*In reference to claims 9 and 20*, wherein providing a web site host with the user code comprises automatically providing the user code when the user visits the web site (column 6 lines 36-44).

*In reference to claims 11 and 21* wherein providing a web site host with the user code comprises providing the user code to the web site host that is manually entered by the user at the web site (column 6 lines 45-51).

*In reference to claims 10, 29, and 33*, wherein the user code is automatically appended to a uniform resource locator (URL) of the web site.

Rowland and Davis do not expressly disclose the code being appended to the URL of the web site.

However, since Davis discloses sending the certificate as part of a message and Rowland discloses sending the request with the information that the web server requires, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to append

the code to the URL. One of ordinary skill in the art would have been motivated to do this because it would conserve bandwidth to send it as one message instead of multiple messages.

*Conclusion*

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

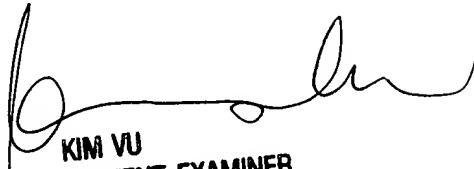
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paula W. Klimach whose telephone number is (571) 272-3854. The examiner can normally be reached on Mon to Thr 9:30 a.m to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PWK  
Saturday, January 21, 2006



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